

2011 FEB 22 P 6:46

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT

VIVIAN FIORI ARIZA, et al.,)	Civil Action No. C09-01518 JW
)	
Plaintiffs,)	
)	DECLARATION OF NEIL SCHEIMAN
)	IN SUPPORT OF OBJECTIONS
vs.)	
)	DATE: 3-21-11
DELL INC., a corporation, et al.,)	TIME: 9 a.m.
)	
Defendants.)	

1. I reside in Marin County, California. I received an email notice of this settlement.

2. I purchased a Dell INSPIRON E1505 in 2006 or 2007. From memory, I received with that purchase a one-year at-home service contract. I don't recall purchasing coverage beyond one year, but it is possible. So far as I can recall I never requested or received any at-

1 home service. I purchased that computer primarily for personal use. I did not take a tax deduction
2 for the purchase. The service tag number is 54PSP91.

3 3. I have known Charles Chalmers for approximately 5 years. He is a friend and part
4 of a small group of men that meet generally each week to discuss political and social issues.
5 From this association I have learned that he is active in addressing perceived problems with the
6 class action system. I also have learned that he does this primarily by appearing for class
7 members at the time a court considers a proposed settlement and/or award of attorneys' fees to
8 the class attorneys and presenting appropriate objections.

9 4. In January Mr. Chalmers inquired if I had in the last ten years purchased a Dell
10 computer. When I replied that I had, he and I discussed the possibility of his representing me to
11 present objections regarding this settlement. Eventually, after being fully informed of the
12 objections that he would present, I agreed that he should present them in my name.

13 5. I have read the objections that will be presented. I understand the problems of
14 claims-made settlements presenting the possibility, due among other things to modest
15 compensation, that a defendant will end up paying very little to the class as a whole. I also
16 understand that in some situations, due to this problem, the class counsel may be awarded
17 attorneys' fees substantially in excess of the money actually received by the class. Finally, I
18 understand that frequently the class counsel request, and are awarded, attorneys' fees based, in
19 part, on the theoretical maximum compensation if all eligible class members filed a claim even
20 though that possibility is completely unrealistic. Finally, I understand that there is some available
21 evidence that claims rates can frequently, maybe even typically, be under 10% and even under
22 1%.


23 6. I can personally attest to this problem. When I received the email notice in this
24 matter I ignored it, at least in part because the proposed compensation was so modest. I know
25 from past experience that claiming the \$4 or \$8 I may be eligible to receive would require an
26

27 //

28 //

1 expenditure of time that I would not consider well spent to possibly receive that sum of money.
2 I declare under penalty of perjury under the laws of the United States that the foregoing is true
3 and correct.
4

5 Dated: February 16, 2011

6 
7 Neil Scheiman

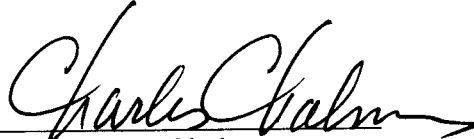
PROOF OF SERVICE

I, Charles D. Chalmers, do declare:

I am over the age of eighteen and not a party to this action. I am a resident of the county where the mailing took place. My business address is 851 Irwin Street, Suite 200, San Rafael, CA 94901. On the date stated below, I served the pleading to which this Proof of Service is attached by sending to the email addresses stated in the Notice.

STRANGE & CARPENTER Brian R. Strange Gretchen Carpenter 12100 Wilshire Blvd., Suite 1900 Los Angeles, CA 90025 Telephone: (310) 207-5055 gcarpenter@strangeandcarpenter.com	RANDALL S. ROTHSCHILD, APC Randall S. Rothschild 12100 Wilshire Blvd., Suite 800 Los Angeles, CA 90025 Telephone: (310) 806-9245 randy.rothschild@verizon.net
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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed at San Rafael, CA on February 17, 2011.


 Charles D. Chalmers